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PLEASE RESPOND TO LONG ISLAND OFFICE

January 17, 2025

VIA ECF

Judge Jesse M. Furman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Fager v. National Railroad Passenger
Corporation, et. al.
Docket No.: 24-CV-4432 (JMF)

Dear Judge Furman:

This correspondence is sent in response to the correspondence forwarded by plaintiff's counsel and is on behalf of all defendants (except for Boingo Wireless, Inc.).

With apologies to the Court and counsel, we wish to advise that we are providing counsel with Amended Responses to Interrogatories with Verification, along with an Affidavit from Amtrak, by Inu Lo, demonstrating it does not have daily timesheets, safety sheets, safety meeting minutes or progress reports related to the wireless project at issue herein.

I believe these responses should obviate the need for a conference at this time.

Thank you for your kind attention and courtesies in this matter.

Very truly yours,
ARMIENTI, DeBELLIS & RHODEN, LLP

Merle Schrager

By: Merle Schrager, Esq. (MS-8161)

Keith Fager v. Skanska USA Civil Northeast, Inc., et. al.

January 17, 2025

Page - 2 –

cc: Brett A. Silverberg, Esq. (LAH Law Firm, PLLC) (bsilverberg@lahfirmlawyers.com)
Judi Abbott Curry, Esq. (Harris Beach Murtha Cullina PLLC)
JCurry@HarrisBeachMurtha.com)

The Court assumes that this resolves the issues raised in Plaintiff's letter motion. If it does not, Plaintiff should promptly file a new letter motion. The Clerk of Court is directed to terminate ECF No. 36 as moot. SO ORDERED.

A handwritten signature in black ink, appearing to be "J. M. ...", is written over the date. The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital 'J'.

January 21, 2025